

Guidance Number SW 02-2001

The following procedures are designed to improve coordination between the Office of Waste Permitting Groundwater (GW) Staff and the Regional Offices (RO):

1. Referrals for Non-Compliance – As GW staff find issues of non-compliance, they will refer the issues to the appropriate Regional Office.
2. Annual Reports - The ROs will receive the GW Annual Reports and complete the Annual GW Monitoring Report checklists by May 1. The GW staff will complete the technical evaluations by August 1.
3. Data Integrity – The ROs will verify the accuracy of CEDS data by May 1, 2001 and keep CEDS updated.
4. GW Monitoring Checklist – The ROs will detect areas of groundwater monitoring non-compliance by using the Groundwater Monitoring Compliance Dates checklist.

If you have any questions on these procedures, please contact Howard Freeland at 804-698-4219.

Karen Jackson Sismour, Director

Date

Referrals to the Regional Offices by the Groundwater Staff

To ensure that compliance/enforcement referrals to the Regional Offices (ROs) are made in a consistent manner, the following procedure shall be used by the groundwater staff:

1. Areas of non-compliance, as identified by the groundwater staff, will be referred to the ROs.
2. Consistent with applicable regulations, a permit, and/or an enforcement order, the groundwater staff may request action by the facility owner/operators, such as the installation of a monitoring well, implementation of assessment monitoring, or submission of groundwater protection standards. All such correspondence to the facilities will contain a reference to the authority for requiring the action and a time frame for response by the facility or their representatives.
3. Unless the issue involves an imminent and substantial endangerment to human health and the environment or a primary provision of an enforcement order, groundwater staff will attempt to address the issue with the facility through informal mechanisms. After the groundwater staff requests action twice by letter without adequate response by the facility, a referral will be made by the Groundwater Manager to the Waste Compliance Manager (WCM) and the Compliance/Enforcement Manager or the Regional Deputy Director. The referral will identify the issue of non-compliance and the relevant regulatory citation, permit or order provision, explain the history of the requests that were made to the facility and provide any other significant information. The referral will also include an identification of the actions that are needed to bring the facility into compliance and a proposed schedule for compliance. Either copies or a list of all relevant documents will be included as part of the referral.
4. If the issue involves an imminent and substantial endangerment to human health and the environment or a primary provision of an enforcement order, the Groundwater Manager shall immediately refer the matter to the RO.
5. In referrals to the ROs, the groundwater staff will request the ROs take the appropriate action. The decisions concerning the specific compliance/enforcement actions taken will be made by the ROs. The groundwater staff will provide technical support and advice to the ROs, as appropriate.
6. The ROs will notify the Groundwater Manager of any compliance/enforcement groundwater-specific actions taken.

Annual Report Receipt and Evaluation

To ensure that the Annual Groundwater Monitoring Reports are received, logged into CEDs, and evaluated in an efficient manner, the following procedure shall be used. It should be noted that this procedure supercedes all previous procedures.

Regional Offices (ROs)

1. Receive the Annual Groundwater Monitoring Report (AR) from the solid waste facilities by March 1.
2. Log the receipt date into CEDs solid waste permits fields.
3. Notify facilities that did not submit an AR by March 1 and take appropriate action to bring those facilities into compliance. The ROs will send a warning letter or contact the facility and issue a Notice of Violation if the annual report has not been received by April 1.
4. The ROs will conduct a completeness review of the AR, using the revised checklist dated 4/01/01.
5. Send the AR (if necessary), a completed checklist (either by hard copy or electronically), and memo or e-mail which notes any areas of concern to the Groundwater Manager (GM).
6. The ROs shall have until May 1 to transmit the checklists, memos, and ARs to the GM; however, the reviews should be conducted as soon possible after receipt.

Groundwater Staff

1. Conduct the technical evaluation of the AR, taking into account any prioritization provided by the ROs and any comments made by the RO.
2. Send the technical review comments to the facility and copy the Regional Compliance/Enforcement Manager or Regional Deputy Director and the Waste Compliance Manager.
3. Technically evaluate all ARs by August 1.
4. Follow up with correspondence or other contact, as necessary, until the AR is technically adequate.

Note: It is preferred that the facilities submit an annual report both to the RO and the GM. However, it is expected that some annual reports will be received by either the RO or the GM without the other being copied. In that situation and if the GM receives the annual report (AR), then a copy of the AR will be sent to the RO for their review. After the RO review, the AR will be sent to the GM if he has not received the AR or only one copy was submitted to the DEQ. The CO groundwater files are the official repository and an original AR should be in those file.

**DEPARTMENT OF ENVIRONMENTAL QUALITY
ANNUAL GROUNDWATER MONITORING REPORT
REVIEW CHECKLIST
YEAR _____**

FACILITY NAME: _____				PERMIT NO.: _____			
FACILITY TYPE: _____				SUBMITTED BY: _____			
DATE RECEIVED: _____				REVIEW DATE: _____			
INSPECTOR _____				REGIONAL OFFICE: _____			
	YES	NO	N/A	(Please check as appropriate.)			
1				The facility is monitoring under the following program: Detection _____ Assessment _____ Corrective Action _____ Phase I _____ Phase II _____ Phase III _____			
2				Groundwater monitoring was conducted at the facility during the previous year.			
3				The facility is monitoring under the correct monitoring program.			
4				All required wells are installed.			
5				All required wells were monitored during the past year.			
6				Samples were collected and data generated for all appropriate monitoring constituents and/or parameters for each well and noted in the (____) Annual Report or (____) reports submitted during the year.			
7				The required statistical evaluations were included in the (____) Annual Report or (____) reports submitted during the year.			
8				The results of the evaluation of the groundwater surface elevation were included in the Annual Report.			
9				Groundwater contour map(s) are included.			
10				The response to the evaluation of the groundwater surface elevation was included in the (____) Annual Report or (____) report submitted during the year.			
11				The measured or calculated migration rate for solid waste constituents in The groundwater during the previous year was included in the Annual Report.			
COMMENTS:							

Data Integrity

To ensure that solid waste facilities that are required by the Virginia Solid Waste Management Regulations (VSWMR) to monitor groundwater are conducting groundwater monitoring, the following procedure shall be used. This procedure consists of actions currently being completed and actions that will be completed in the future.

The following process is being completed:

1. The critical information in the solid waste database has been extracted and reviewed by the Solid Waste Compliance Coordinator (SWCC). The critical information included SW facilities incorporated into other permits, SW facilities permit and physical status (invalid, never issued, never operated/constructed, revoked/voided, active, closed with dates, and inactive).
2. Based on the above information and the VSWMR, the tentative determination of whether a facility is required to monitor was made by the SWCC and the Groundwater Manager.
3. The critical information and the requirement for groundwater monitoring have been entered into CEDs by the groundwater staff.
4. The RO's compliance staff have the responsibility for regional data integrity, shall verify the accuracy of the information in CEDs by May 1, 2001, and make any appropriate corrections.

The following procedure will be followed in the future:

5. CEDs Discoverer reports, as needed, will be used to determine changes that have been made in the information fields.
6. The ROs shall continually update and make any appropriate changes to the critical fields, as necessary, based on information gathered from inspections and communication with the facilities to ensure continued data integrity.
7. Final and updated determinations concerning a facility's requirement to monitor groundwater shall be made by the SWCC, the GM, and the ROs compliance staff.

**DEPARTMENT OF ENVIRONMENTAL QUALITY
GROUNDWATER MONITORING COMPLIANCE DATES
SANITARY LANDFILL CHECKLIST**

FACILITY NAME: _____				PERMIT NO.: _____	
FACILITY TYPE: _____				INSPECTION TYPE: _____	
INSPECTION DATE: _____				FILE REVIEW DATE: _____	
INSPECTOR _____				REGIONAL OFFICE: _____	
	YES	NO	N/A	COMPLIANCE ITEM	COMMENTS
1				Date of lab certificate: _____ Statistics completed within 30 days of analytical testing. (Use date of lab certificates as starting date.) Date statistical tests completed: _____ 9 VAC 20-80-250 D 4 h (2)	
2				Statistically Significant Increase. Date determined: _____ SSI reported to the Director within 14 days. Date reported: _____ 9 VAC 20-80-250 D 5 c (3) (a)	
3				Assessment Monitoring implemented within 90 days of SSI Determination Date implemented: _____ 9 VAC 20-80-250 D 5 c (3) (b)	
4				Alternate Source Demonstration completed within 90 days of SSI determination. Date completed: _____ 9 VAC 20-80-250 D 5 c (4)	
5				Wells sampled for 5.1 constituents within 90 days of SSI Determination. Date sampling completed: _____ 9 VAC 20-80-250 D 6 b	
6				Background for detected 5.1 constituents established. Date established: _____ 9 VAC 20-80-250 D 6 d	
7				Permit amendment for Groundwater Protection Standards submitted within 90 days of establishing background. Date submitted: _____ 9 VAC 20-80-250 D 6 d (5)	
8				Initiated Assessment of Corrective Measures within 90 days of GPS SSI. Date GPS SSI determined: _____ 9 VAC 20-80-250 6 g	
9				Date ACM initiated: _____ 9VAC 20-80-310 A 1	
10				Complete Assessment of Corrective Measures within 180 days of GPS SSI Date ACM completed: _____ 9 VAC 20-80-310 A 1	

Note: A "NO" check may require further action.

